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*Attorney for Mark Stern and First Republic Group Realty LLC*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X

AMUSEMENT INDUSTRY, INC., d/b/a WESTLAND : No. 07 Civ. 11586 (LAK)(GWG)  
INDUSTRIES, PRACTICAL FINANCE CO., INC., :

: (ECF)

Plaintiffs,

- against -

: **NOTICE OF MOTION**

MOSES STERN, aka MARK STERN; JOSHUA SAFRIN, :  
FIRST REPUBLIC GROUP REALTY LLC, EPHRAIM :  
FRENKEL, LAND TITLE ASSOCIATES ESCROW, :

Defendants.

----- X

JOSHUA SAFRIN, :  
Defendant/Third Party-Crossclaim :  
Counterclaim-Plaintiff, :

- against -

:

STEPHEN FRIEDMAN, STEVEN ALEVY, BUCHANAN :  
INGERSOLL & ROONEY, P.C., BANKERS CAPITAL :  
REALTY ADVISORS LLC., and FIRST REPUBLIC :  
GROUP CORP., :

Third Party Defendants, :

- and -

:

:

MOSES STERN, aka MARK STERN, FIRST REPUBLIC :  
GROUP REALTY LLC, EPHRAIM FRENKEL, and  
LAND TITLE ASSOCIATE ESCROW, :

Defendants/Crossclaim Defendants, :

-and - :

AMUSEMENT INDUSTRY, INC., dba WESTLAND :  
INDUSTRIES, PRACTICAL FINANCE CO., INC., :

Plaintiffs/Counterclaim Defendants.

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**PLEASE TAKE NOTICE**, that upon the accompanying Memorandum of Law in Support of Motion to Disqualify Plaintiffs' California Co-Counsel, Sragow & Sragow, Defendants Moses Stern, First Republic Group Realty LLC, Ephraim Frenkel and Land Title Associates Escrow will move this Court before the Honorable Lewis A. Kaplan, United States District Judge, at the United States Courthouse, 500 Pearl Street, New York, New York, at such time as the Court may direct, for an order disqualifying plaintiffs' California co-counsel, Sragow & Sragow, because members of the Sragow firm are necessary witnesses and are thereby prohibited from representing the plaintiffs pursuant to Disciplinary Rule 5-102 of the New York Code of Professional Responsibility and for such other and further relief in favor of said defendants as the Court deems appropriate.

Dated: June 11, 2008  
New York, New York

By: /s/ Stephen R. Stern  
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